

**REMARKS**

This Amendment responds to the Office Action dated February 26, 2004 in which the Examiner rejected claims 7, 8, 11, 13 and 14 under 35 U.S.C. § 103 and stated that claims 9, 10 and 15 are allowed.

Claim 7 claims an image display system, claim 8 claims a method for displaying image data and claim 13 claims a program product. The image display system, method and program product include switching a still image photographing apparatus between a photographing mode and a reproduction mode, displaying an indicator for generating an instruction for photographing action of the still image photographing apparatus and displaying a photographed image display window when the photographing mode is selected and the object is photographed in response to the instruction.

Through the image display system, method and program product switching a still image photographing apparatus between a photographing mode and a reproduction mode, as claimed in claims 7, 8 and 13, the claimed invention provides an improved cooperation between a photographing apparatus and an image processing apparatus when connected to each other. The prior art does not show, teach or suggest the invention as claimed in claims 7, 8 and 13.

Claim 11 claims a method for controlling a photographing apparatus and claim 14 claims a program product. The method and product include opening a window showing components of the photographing apparatus, displaying, as one of the components, an indicator for transmitting a power-off instruction for turning off the power source of the photographing apparatus and minimizing the window to an icon state when the power-off instruction has been transmitted from the indicator.

Through the method and program product minimizing a window to an icon state when a power-off instruction has been transmitted from an indicator, as claimed in claims 10 and 14, the claimed invention provides a method and program product having an improved cooperation between a photographing apparatus and an image processing apparatus when the two are connected to each other. The prior art does not show, teach or suggest the invention as claimed in claims 11 and 14.

As indicated above, claims 7, 8 and 13 have been amended to make explicit what is implicit in the claims. Applicants respectfully submit that the amendment is unrelated to a statutory requirement for patentability and does not narrow the literal scope of the claims.

Claims 7, 8 and 13 were rejected under 35 U.S.C. § 103 as being unpatentable over *Bullock et al.* (U.S. Patent No. 5,675,358) in view of *Shore et al.* (U.S. Patent No. 6,353,461).

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Bullock et al.* appears to disclose the computer control and user interface of a tightly coupled instant digital image capture device. (col. 1, lines 9-11) In FIG. 1, a notebook personal computer 100 preferably one in the IBM PS/2 series of computers, comprising a keyboard 112, a mouse 113 and a display 114 is depicted. The screen of the display device is used to present the image during an image processing session. The computer is connected by means of a tether 117 to digital image capture camera 118. The tether 117 includes cables which carry power and

control information to the digital capture device 118 and the captured image data back to the computer 100. (col. 2, line 66 through col. 3, line 7) As shown in FIG. 4, the computer provides the display of the viewfinder window 170 within the capture device window 175. The viewfinder 170 could display anything from full color at video rates to black & white at only a few frames per second depending on the capabilities of the image capture device and the computer. (col. 4, lines 55-61) A capture device window 175 also includes several exposed control buttons. The viewfinder control turns the solid-state array on so long as the power to the image capture device is also being supplied by the computer on actuation of the power button 178. An image is captured when the user selects the picture button 177. The above controls control the image capture device. Also included in the capture device window 175 are controls which determine the method of presentation, selection and storage of the images. (col. 5, lines 8-16) Thus, it is assumed that initially (i.e., before any user customization) that when the "Capture Device" application is started, the window 175 shown in FIG. 4 would appear essentially centered on the computer screen, with the capture device powered on, and the viewfinder 170 also on. The user would see, within the viewfinder window 170 what the capture device was currently seeing. To capture (take) a picture, the user would simply compose the desired scene in the viewfinder by moving the capture device, attached to the computer, and then press the "Picture" button "click". "Pressing" could be accomplished with a touch screen using a finger or a stylus, via a mouse or even with an associated key from any attached keyboard. The result of pressing the control 177 would be to display a representative rendering of the image in its own window 190 captured essentially instantly (hopefully within a second). The results of

this operation could look as is illustrated in FIG. 5. This image would be in color if the capture device was capable of color imaging. (col. 5, lines 35-54) FIGS. 19A-19E comprise a flow diagram for the main image capture device application program. In FIG. 19A, the application starts 300 when the operating system receives a command to initiate operation of the image capture device application program 302. This could be done, for example, by clicking on a camera icon on the OS/2 desktop representing the image capture device application, to "open" the application. Next, the operating system creates the capture device window by calling data associated with the application 304. This data also includes the command objects within the capture device window, e.g., the picture, viewfinder and power buttons 306. The capture device object is presented on the computer display substantially as shown in FIG. 4. Next, a test is performed for a default profile for the image capture device application 308. The profile might contain information on whether the image capture device should be powered upon window opening, diagnostic routines run and initial control values governing presentation of the images. If so, the profile is set up 310. If there is an error found during the diagnostic routines 312, a message will be presented on the computer display 314. The flow diagram now shifts to FIG. 19B. A test 316 is performed to determine whether the viewfinder is to be initiated as "on" or "off". This information can be found in the profile. If so, the viewfinder object is created within the capture device window 318. The image information inside the viewfinder window changes as new images are sensed by the CCD array in the camera. Next, a test is performed whether the user has requested that the system capture an image 320 by clicking with a mouse button when the cursor is over the picture button in the capture device window. If so, the camera is set into image

capture mode 322, a capture request is set to the camera microprocessor 324, and the image is taken with the appropriate exposure length and flash. The image captured by the CCD array of the camera is temporarily stored in the camera memory and then read into the main memory of the computer 326. The image information is used to create a new image object which is positioned on the display as shown in FIG. 5. The viewfinder mode is restored if before the image was captured, the viewfinder was on 330. (col. 8, line 52 through col. 9, line 26) If the power is to be toggled 336, i.e., the user has clicked on the power button in the capture device window, the procedure flows to D in FIG. 19C where a test is made to determine whether the power is on or off 342. If it is on, the camera power is turned off 344, presumably because the picture session has ended. The method then continues back to the tests in FIG. 19B on how the captured images should be displayed on the computer screen. If the image capture device power is off, a test is performed to determine whether a capture device window has been opened. If so, the camera power is turned on. If not, the user is requested to identify the image capture device application program and the capture device which is to be controlled 350. Then the method returns to A in FIG. 19A. (col. 9, lines 45-48)

Thus, *Bullock et al.* merely discloses an image which is captured when the user selects a picture button 177 and which is displayed in viewfinder window 170. Nothing in *Bullock et al.* shows, teaches or suggests switching a still image photographing apparatus between a photographing mode and a reproduction mode as claimed in claims 7, 8 and 13. Rather, *Bullock et al.* merely discloses capturing an image by selecting a picture button 177 and displaying the image in viewfinder window 170.

*Shore et al.* appears to disclose a video assist system and method for use in motion picture or television production which provides for digital recording and playback of video from multiple cameras with near instantaneous reviewing, editing, cutting, sequencing and assembling capabilities, and which provides a database that records and manages both media and production information. (col. 1, lines 26-32) Returning to FIG. 5, assuming an original take recording, or re-recording, is desired, the operator selects "BEGIN RECORD" 135 to commence recording and storage of the video input from all enabled cameras 35, as well as to commence time code recording as further detailed hereinbelow, and to commence concurrent video display on monitors 45 associated with the corresponding channels. Selection of "BEGIN RECORD" 135 further results in the display of the "Recording Screen" 140 as exemplified in FIG. 6. Alternatively, the operator may select "PLAYBACK" 145 from the "Record Ready Screen" 125 to display a "Playback Screen" 150 as alternatively exemplified in FIGS. 7, 8, 9 and 10. (col. 7, line 66 through col. 8, line 11)

Thus, *Shore et al.* merely discloses a video camera having recording and playback capabilities. Nothing in *Shore et al.* shows, teaches or suggests switching a still image photographing apparatus between a photographing mode and a reproduction mode as claimed in claims 7, 8 and 13. Rather, *Shore et al.* merely discloses a video camera having recording and playback capabilities.

Since neither *Bullock et al.* or *Shore et al.* show, teach or suggest switching a still image photographing apparatus between a photographing mode and a reproduction mode as claimed in claims 7, 8 and 13, Applicant respectfully requests the Examiner withdraws the rejection to claims 7, 8 and 13 under 35 U.S.C. § 103.

Claims 11 and 14 were rejected under 35 U.S.C. § 103 as being unpatentable over *Tsushima et al.* (U.S. Patent No. 5,999,213), *Gray et al.* (U.S. Patent No. 5,452,222) in view of *Bullock et al.*

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Tsushima et al.* appears to disclose a method of and an apparatus for setting up an electronic device such as a video camera (including a video tape recorder integrally combined with a video camera) for home use or a video camera for use in broadcasting stations. (col. 1, lines 7-11) FIG. 7 shows a connection configuration window which is displayed at first when the camera setup system shown in FIG. 3 starts to operate. A window image Wc shown in FIG. 7 is displayed when a file of connection configuration information is read which was generated when the camera setup system started the last time. The window image Wc contains icon images Ca1-Ca6 of cameras, icon images Cu1-Cu6 of CCUs connected respectively to the icon images Ca1-Ca6, an icon image Cn1 of a CNU (Camera Network Unit) which is connected to the icon images Cu1-Cu6, an icon image Vc1 of a VCS (Video Camera Selector) connected to the icon image Cn1, and a menu bar MBc which contains menus "FILE", "EDIT", "SETUP", and "HELP". The window image Wc indicates that a camera system composed of six cameras, six CCUs connected respectively to the six cameras, a CNU connected to the six CCUs, and a VCS connected to the CNU is to be set up. As described later on, the connected configuration has been confirmed by the camera setup system when the camera setup system has been started. An

object with respect to which parameters are to be established is one of the icon images Ca1-Ca6 of cameras and the icon images Cu1-Cu6 of CCUs. In order to establish parameters with respect to a desired camera or CCU, the pointer Po is controlled by the pointing device 300 to move to a position over one of the icon images Ca1-Ca6 of cameras and the icon images Cu1-Cu6 of CCUs, and thereafter the button of the pointing device 300 is clicked once. When the button of the pointing device 300 is clicked once, the selected one of the icon images Ca1-Ca6 of cameras and the icon images Cu1-Cu6 of CCUs is colored or displayed in a certain display state, indicating that it is selected. In FIG. 7, the icon image Ca4 of a camera is selected.

Thus, *Tsushima et al.* merely discloses a window image containing icon images of cameras, a camera control unit (CCU), a camera network unit (CNU) and a video camera selector (VCS). Nothing in *Tsushima et al.* shows, teaches or suggests minimizing a window to an icon state when a power-off instruction has been transmitted from an indicator as claimed in claims 11 and 14. Rather, *Tsushima et al.* merely discloses interconnection of various components using icons.

*Gray et al.* appears to disclose an apparatus for inducing currents in a transmission line and a method for testing systems using the apparatus. (col. 1, lines 14-16) The operation of this software in processor 410 of control unit 102 will now be further described with reference to FIGS. 7a through 7g, which show the screen display 702 of status display 412 during different test functions. The preferred initial front panel display of the instrument is shown in FIG. 7a. The hypermedia function, seen in the upper left hand corner 704 of the display, gives the operator a visual readout of the standard being tested and to the other features of



the intelligent instrument. A virtual (i.e. computer display simulated) oscilloscope is at the bottom section 706, and the analysis function is displayed in the upper right section 708. Thus, a real-time graphic readout of test data, text related to the test, and a test result analyzer are all located on the same display and available to the operator at all times during the test. Clicking a pointing device associated with the computer on the bar labeled "Table of Contents" in upper left hand corner 704 causes the display to change as shown in FIG. 7b. Icons are displayed in upper left hand corner 704 to match the Table of Contents from the testing standard. By selecting a desired one of these icons, the user is able to view the selected portion of the standard. "Navigation aids" are provided on each of the screens to show where in the standard the displayed portion is located. The information in the standard may be accessed linearly (front to back) or non-linearly (by skipping sections or recalling information from another section). (col. 14, lines 15-44)

Thus, *Gray et al.* merely discloses a display showing a real time graphic readout of test data, text relating to the test and a test result analyzer all located on the same display. Nothing in *Gray et al.* shows, teaches or suggests minimizing a window to an icon state when a power-off instruction has been transmitted from an indicator as claimed in claims 11 and 14. Rather, *Gray et al.* merely discloses a display for an operator during a test.

As discussed above, *Bullock et al.* merely discloses when a viewfinder is to be initiated as "on" or "off" (column 9, lines 7-10). Nothing in *Bullock et al.* shows, teaches or suggests minimizing a window to an icon state when a power-off instruction has been transmitted from an indicator as claimed in claim 11. Rather,

the flowchart in Figure 19b of *Bullock et al.* merely discloses determining whether the viewfinder is to be initiated as on or off.

Additionally, *Bullock et al.* merely discloses at column 9, lines 45-50 that if power is to be toggled, the camera is turned on or off. However, nothing in *Bullock et al.* shows, teaches or suggests minimizing a window to an icon state when the power-off instruction is transmitted from an indicator for turning off the power source of the photographing apparatus as claimed in claims 11 and 14. Rather, *Bullock et al.* merely discloses determining if the power switch has been toggled to toggle the power on or off to the camera.

Since nothing in *Tsushima et al.*, *Gray et al.*, or *Bullock et al.*, shows, teaches or suggests minimizing a window to an icon state when the power-off instruction is transmitted from the indicator as claimed in claims 11 and 14, Applicant respectfully requests the Examiner withdraws the rejection to claims 11 and 14 under 35 U.S.C. § 103.

The prior art of record, which is not relied upon, is acknowledged. The references taken singularly or in combination do not anticipate or make obvious the claimed invention.

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason the Examiner feels that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicant respectfully petitions for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

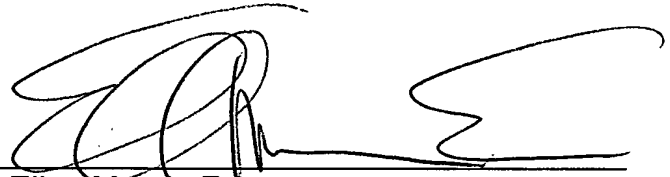
In the event that any additional fees are due with this paper, please charge our Deposit Account No. 02-4800.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By:

A handwritten signature in black ink, appearing to read 'Ellen Marcie Erbas', written over a horizontal line.

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